



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Janko Budzisch

Application No: 10/749,854

Filed: December 30, 2003

For: Application For Testing The
Availability Of Software
Components

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner: Vitali A. Korobov

Art Unit: 2155

Confirmation No.: 9420

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 6, 2007

(Date of Deposit)

Carla Vignola

(Printed name)

(Signature)

(Date)

INFORMATION DISCLOSURE STATEMENT AND NOTICE OF OTHER PENDING APPLICATION(S)

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

09/10/2007 ATRINH 00000034 10749854
01 FC:1006

180.00 OP

Submission of the enclosed information is not to be construed as an admission that the enclosed information is material to patentability of the present application or



FEE TRANSMITTAL for FY 2006

Patent fees are subject to annual revision.

Complete if Known

Application Number	10/749,854
Filing Date	December 30, 2003
First Named Inventor	Janko Budzisch
Examiner Name	Korobov, Vitali A.
Art Unit	2155
Attorney Docket No.	6570P055

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 180.00

METHOD OF PAYMENT (check all that apply)

- ☒ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____
- ☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☐ Charge fee(s) indicated below
- ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.
- ☒ Credit any overpayments
- ☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

FEE CALCULATION

1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
27	30*	0	\$0.00
Independent Claims	3	0	\$0.00
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 360	2203 180	Multiple Dependent claim, if not paid
1204 790	2204 395	**Reissue independent claims over original patent
1205 300	2205 150	**Reissue claims in excess of 20 and over original patent

**or number previously paid, if greater, For Reissues, see below

SUBTOTAL (1) (\$) 0.00

2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1051 130	2051 65	Surcharge - late filing fee or oath
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet.
2053 130	2053 130	Non-English specification
1251 120	2251 60	Extension for reply within first month
1252 450	2252 225	Extension for reply within second month
1253 1,020	2253 510	Extension for reply within third month
1254 1,590	2254 795	Extension for reply within fourth month
1255 2,160	2255 1,080	Extension for reply within fifth month
1401 500	2401 250	Notice of Appeal
1402 500	2402 250	Filing a brief in support of an appeal
1403 1,000	2403 500	Request for oral hearing
1451 1,510	2451 1,510	Petition to institute a public use proceeding
1460 130	2460 130	Petitions to the Commissioner
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)
1806 180	1806 180	Submission of Information Disclosure Stmt
1809 790	1809 395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify) _____

SUBTOTAL (2)

(\$) 180.00

SUBMITTED BY

Name (Print/Type) Robert B. O'Rourke

Registration No. (Attorney/Agent)

46,972

Telephone

(408) 720-8300

Signature

Date

9/6/07

that the claims of the present application and claims of the application(s) associated with the enclosed information are not patentably distinct.

Applicant would like to bring to the Examiner's attention the following co-pending patent application(s), which is/are assigned to the assignee of the present application, and which may be relevant to the present application:

The Applicant would like to bring to the Examiners attention an Office Action received in the following related co-pending applications, U.S. Patent Application No. 10/749,769, entitled, " **GRAPHICAL USER INTERFACE (GUI) FOR DISPLAYING SOFTWARE COMPONENT AVAILABILITY AS DETERMINED BY A MESSAGING INFRASTRUCTURE**," filed on December 30, 2003. Applicant has provided the Examiner with a copy of the related Office Action, claims as they stood in the related application prior to the mailing of the Office Action and a copy of the claims as they were presented to the PTO in response to the Office Action.

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability or constitutes prior art with respect to the present invention.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

- ☐ 37 C.F.R. §1.97(b).
- ☒ 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:
 - ☐ A statement pursuant to 37 C.F.R. §1.97(e) or
 - ☒ A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).
- ☐ 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

- (1) A statement pursuant to 37 C.F.R. §1.97(e); and
- (2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: _____


9/6/07



Robert B. O'Rourke
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Sunnyvale, CA 94085
(408) 720-8300

Substitute for Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/749,854
				Filing Date	12-30-2003
				First Named Inventor:	Budzisch, et al.
				Art Unit	2155
				Examiner Name	Korobov, Vitalia A
				Attorney Docket Number	6570P055
Sheet	1	of	1		



U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)				
		US-	6,973,627	12/06/2005	Appling	
		US-	6,061,723	05-09-2000	Walker, et al.	
		US-	6,070,190	05-30-2000	Reps, et al.	
		US-	2002/0113816	08-22-00	Mitchell, et al.	
		US-	2002/0169870	11-14-2002	Vosseler, et al.	
		US-	2003/0225876	12-04-2003	Oliver, et al.	
		US-	6,735,200	5-11-2004	Novaes	
		US-	2004/0139194	07-15-2004	Nagananathan	
		US-	6,983,317	01-03-2006	Bishop, et al.	
		US-				
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		US-				

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature	Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known	
			Application Number	10/749,854
			Filing Date	12-30-2003
			First Named Inventor:	Budzisch, et al.
			Art Unit	2155
			Examiner Name	Korobov, Vitalia A
			Attorney Docket Number	6570P055
RELATED PATENT APPLICATION INFORMATION				
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published		
		JANKO BUDZISCH, "GRAPHICAL USER INTERFACE (GUI) FOR DISPLAYING SOFTWARE COMPONENT AVAILABILITY AS DETERMINED BY A MESSAGING INFRASTRUCTURE", Serial number 10/749,769, filed on December 30, 2003, Office Action mailed March 5, 2007. Copy of the Office Action, copy of the claims prior to mailing of Office Action and a copy of the claims as they were presented to the PTO in response to the Office Action.		

Examiner Signature	Date Considered
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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